

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

EARL RINGO, et al.,)	
Plaintiffs,)	
)	
vs.)	No. 09-4095-CV-C-NKL
)	
GEORGE A. LOMBARDI, et al.,)	
Defendants.)	

Plaintiffs' Motion for Summary Judgment

Pursuant to Fed. R. Civ. P. 56, Plaintiffs respectfully request that this Court enter an Order granting summary judgment in favor of Plaintiffs and against Defendants on all claims set forth in Plaintiffs' amended complaint, and thereafter, to enter appropriate equitable relief. As set forth more fully in the accompanying suggestions, Plaintiffs are entitled to summary judgment because there is no genuine issue of material fact, and Plaintiffs are entitled to judgment as a matter of law.

Respectfully submitted,

/s/ Joseph W. Luby

Joseph W. Luby, Mo. 48951
Death Penalty Litigation Clinic
6155 Oak Street, Suite C
Kansas City, MO 64113
816-363-2795 • FAX 816-363-2799
Counsel for Plaintiff Winfield

David Barron, Ky. Bar 90269
100 Fair Oaks Lane, Suite 301
Frankfort, KY 40601
502-564-3948 • FAX 502-564-3949
*Counsel for Plaintiffs Ringo, Bucklew,
Middleton, and Winfield*

John William Simon, Mo. 34535
Constitutional Advocacy, L.L.C.
7413 Manchester Road, Suite 109
St. Louis, MO 63143-3001
314-604-6982 • FAX 314-754-2605
*Counsel for Plaintiffs Ringo, Bucklew,
Middleton, and Michael Taylor*

Cheryl Ann Pilate, Mo. 42266
Rebecca L. Kurz, Mo. 40451
Morgan Pilate LLC
142 North Cherry
Olathe, KS 66061
913-829-6336 • FAX 913-829-6446
*Counsel for Plaintiffs Bucklew,
Middleton, Ringo, and Smulls*

Jennifer Herndon, Mo. 37921
224 Hwy 67 North, # 122
Florissant, Mo 63031
314-831-5531 • FAX 314-831-5645
*Counsel for Plaintiffs Nunley, Clay,
Ferguson, Nicklasson,
Franklin, and Link*

Michael J. Gorla, Mo. 26399
720 Olive Street, Ste. 1630
St. Louis, MO 63139
314-621-1617
Counsel for Plaintiff Ferguson

Christopher E. McGraugh, Mo 36301
Leritz, Plunkert & Bruning
555 Washington Avenue, Suite 600
St. Louis, MO 63101
314-231-9600 • FAX 314-231-9480
Counsel for Plaintiff Link

Elizabeth Unger Carlyle, Mo. 41930
P.O. Box 866
Columbus, MS 39703
816-525-6540 • FAX 866-764-1249
*Counsel for Plaintiffs Barnett, Clay
Clayton, and Leon Taylor*

Richard H. Sindel
8000 Maryland, Suite 350
St. Louis, MO 63105
314-721-6040 • FAX 314-721-8545
Counsel for Plaintiff Barnett

Eric W. Butts, Mo. 36184
720 Olive Street, Suite 1630
St. Louis, MO 63101
314-621-1617 • FAX 314-621-7448
*Counsel for Plaintiffs Christeson
and Rousan*

Charles M. Rogers
Wyrsh, Hobbs & Mirakian, PC
1000 Walnut Street, Suite 1600
Kansas City, MO 64106-2122
816-221-0080 • FAX 816-221-3280
Counsel for Plaintiff Smulls

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was forwarded for transmission via Electronic Case Filing (ECF) this 21st day of January, 2011, to Andrew W. Hassell, Michael J. Spillane, and Stephen D. Hawke, Office of the Attorney General, P.O. Box 899, Jefferson City, Missouri 65101.

/s/ Joseph W. Luby
Joseph W. Luby

Counsel for Plaintiff John E. Winfield